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REMARKS

Responsive to the outstanding Office Action, applicant has carefully studied the Examiner's rejections and the comments relative thereto. Favorable reconsideration of the application is respectfully requested in light of the following detailed arguments.

In this response, independent claims 1, 21 and 34 have been amended to indicate that the first layer comprises a silicon oxide containing nitrogen or carbon, thus incorporating the subject matter of allowable claims 4 and 7 into claim 1, and corresponding subject matter into claims 21 and 34. Claim 5 has been amended to clarify a possible indefiniteness matter. Claims 4, 7 and 22 have been canceled. No new matter has been introduced by these amendments, nor have any new issues been raised.

INDICATION OF ALLOWABLE SUBJECT MATTER

In the outstanding Office Action, the Examiner indicated that claims 4-7 and 23 were allowable if rewritten in independent form containing the limitations of their respective base claims and any intervening claims.

In response to this statement by the Examiner, claim 1 has been amended to include, in the alternative, the subject matter of allowable claims 4 and 7, i.e. to include language that the under layer comprises a silicon oxide containing carbon or nitrogen. Thus, the subject matter of allowable claim 4 and the subject matter of allowable claim 7 have been added, in alternative form, to independent claim 1. Similarly, independent claims 21 and 34 have been amended to include the same alternative language as was added to claim 1.

The undersigned would like to sincerely thank Examiner Meeks for the teleconference of this date, wherein the proposed amendments to the claims were discussed. Examiner Meeks indicated that he would accept the proposed changes to claims 1 and 21, and believed that the changes to claim 34 would also be acceptable. During a brief review of the claims, the undersigned and Examiner Meeks agreed that claim 5 should also be amended to remove the indefinite term "preferably", and claim 5 has been so amended herein. Examiner Meeks also indicated that he would provide

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the undersigned with a courtesy phone call in case the application, as amended, was not found to be in condition for allowance.

OBJECTION AGAINST CLAIM 22

Claim 22 was objected to as being in improper dependent form for failing to further limit the subject matter of a previous claim. In response thereto, claim 22 has been canceled herein, thereby rendering this objection moot.

REJECTION OF CLAIMS UNDER 35 USC 103

Claims 1, 8-16, 20-22, 24-30 and 34-36 were rejected under 35 USC §103 as being unpatentable over Guiselin. Dependent claims 17-19 and 31-33 were rejected under 35 USC §103 as being unpatentable over Guiselin in view of Macquart et al.

Independent claims 1, 21 and 34 have been amended, as outline above, and are therefore believed to be in condition for allowance. Action towards that end is respectfully requested.

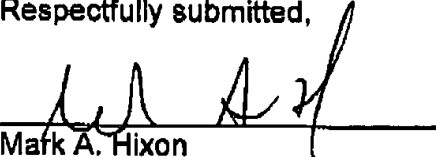
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SUMMARY

For the reasons above, it is submitted that independent claims 1, 21 and 34 are allowable over the applied art of record. The remaining claims are believed to be allowable based, at least, upon their dependence from allowable base claims as shown above.

Should the Examiner wish to modify any of the language of the claims, applicants' attorney suggests a telephone interview in order to expedite the prosecution of the application.

Respectfully submitted,


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